

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 WILLIAM McKNIGHT, individually, ELLA  
5 McKNIGHT, individually,

6 Plaintiffs,

7 v.

8 NOBU HOSPITALITY GROUP, LLC, a  
9 Foreign Corporation, et al.,

10 Defendants.

Case No. 2:16-cv-2643-APG-PAL

**ORDER AFFIRMING MAGISTRATE  
JUDGE'S ORDER**

(ECF No. 17)

11 Magistrate Judge Leen entered an Order revising the discovery plan and allowing the  
12 plaintiffs to substitute the proper party defendant. ECF No. 16. Defendant Nobu objected to the  
13 portion of the Order allowing the plaintiffs to substitute the defendant. ECF No. 17. Nobu contends  
14 that Judge Leen was factually incorrect in finding that Nobu's counsel had agreed to allow  
15 substitution of Caesar's Palace in place of Nobu. *Id.* at 8-9. The plaintiffs' response to the objection  
16 demonstrates that Nobu's counsel repeatedly expressed willingness to allow the substitution. ECF  
17 Nos. 20-1 at 2, 4; 20-5 at 2, 4. Even if no formal agreement about substitution was reached, at a  
18 minimum plaintiffs' counsel was led to believe that Nobu would not oppose substitution of Caesar's  
19 Palace into the case.

20 Having reviewed the objection, Judge Leen's Order, and the underlying papers, I find that  
21 Judge Leen's Order is not "clearly erroneous or contrary to law." Local Rule IB 3-1(a). Therefore,  
22 Magistrate Judge Leen's Order (**ECF No. 16**) is **affirmed** in its entirety, and Nobu's Objection  
23 (**ECF No. 17**) is **overruled**. The parties shall file a status report with Magistrate Judge Leen as  
24 required in her November 14, 2017 Order. ECF No. 47.

25 DATED this 5th day of December, 2017.



26  
27 ANDREW P. GORDON  
28 UNITED STATES DISTRICT JUDGE